

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION

JACOB JAMES NANCE,

Petitioner,

CASE NUMBER: 06-14523

HONORABLE VICTORIA A. ROBERTS

v.

JOHN BOYNTON,

Respondent.

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ORDER ADOPTING REPORT AND RECOMMENDATION

On December 11, 2008, Magistrate Judge Paul J. Komives submitted a Report and Recommendation (Doc. #35) recommending that the Court DENY Petitioner's "Motion for Certificate of Appealability." (Doc. #31). Because the Court has not received objections from either party within the time frame provided for in 28 U.S.C. §636(b)(1) and E.D. Mich. LR 72.1(d)(3), the Court adopts the Magistrate Judge's Report and Recommendation.

Plaintiff's motion is **DENIED**.

IT IS ORDERED.

S/Victoria A. Roberts

Victoria A. Roberts

United States District Judge

Dated: January 5, 2009

The undersigned certifies that a copy of this document was served on the attorneys of record and Jacob James Nance by electronic means or U.S. Mail on January 5, 2009.

s/Carol A. Pinegar

Deputy Clerk